

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6855

BILL NUMBER: SB 635

NOTE PREPARED: Jan 12, 2005

BILL AMENDED:

SUBJECT: Public Safety Employees as Volunteer Firefighters.

FIRST AUTHOR: Sen. Broden

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a unit may discipline an active member of a police or fire department of the unit for absence from employment for volunteer firefighting duties.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: *Court Fee Revenue:* According to current statute, an employee of a political subdivision employer, who volunteers as a firefighter and is disciplined for being absent from work because of responding to a fire or emergency, may bring a civil action against the employer. In the action, the employee may seek payment for back wages, reinstatement to a former position, fringe benefits, and seniority benefits wrongly denied the employee.

This bill exempts members of a police or fire department so they may be disciplined for absence from work because of responding to a fire or emergency. This provision reduces the potential for civil actions to be filed.

When civil actions occur, revenue from court fees goes to the state General Fund. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* This provision reduces the potential for civil actions to be filed. When civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

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